

Serial No. 10/099,873

### REMARKS/ARGUMENTS

The Office Action mailed March 21, 2005, has been received and reviewed. Claims 1 through 8, 10, 12 through 22, 24, 28, and 29 are currently pending in the application. Claims 13 through 16, 24, 28, and 29 are allowed, which indication is acknowledged with appreciation. Claims 1 through 8, 10, 12, 17, and 19 through 22 stand rejected. Claim 18 has been objected to as being dependent upon a rejected base claim, but the indication of allowable subject matter in such claim is noted with appreciation. Applicants have canceled claims 19-21, amended claims 1, 2, 5, 8, 10, 12, 17 and 22, and respectfully request reconsideration of the application as amended herein.

Applicants have described the nature and extent of the amendments to each of the amended claims below. No new matter has been added.

#### **35 U.S.C. § 102(b) Anticipation Rejections**

##### Anticipation Rejection Based on U.S. Patent No. 2,147,896 to Harrington

Claims 1 through 3, 8, 10, 12, 17, 19, 20, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Harrington (U.S. Patent No. 2,147,896). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1 and 2 have been amended to recite that the claimed core bit includes a bit body having a face surface with a throat opening thereinto, the throat extending to a longitudinal cavity defined by at least one longitudinally oriented wall . . . wherein the at least one port inlet is formed within the bit body; and wherein the at least one port inlet . . . opens into the longitudinal cavity through at least a portion of the at least one longitudinally oriented wall. The reference describes and depicts a port inlet which opens into a longitudinal cavity above any longitudinal wall thereof, and not therethrough. Thus, the claim is not anticipated.

Claim 3 is allowable as depending from claim 2.

Claims 8 and 10 have been amended to structurally define the boundaries and location of the annular region as having a longitudinally extending radially outer wall, a radially extending upper wall and a radially extending lower wall formed in the bit body and a radially inner periphery defined by an outside diameter of at least the core shoe, and that the annular region is unobstructed. The reference fails to describe an unobstructed (due to the presence of lugs 38) annular region of the claimed configuration and as defined by the recited structural features. Thus, the claims are not anticipated.

Claim 12 has been amended to recite that the annular reservoir of the claimed core bit is unobstructed and formed in a wall of the inner, substantially cylindrical cavity. The reference fails to describe the claimed structural location of an annular reservoir, or that any annular reservoir described is unobstructed.

Claim 17 has been amended in a manner similar to claims 8 and 10, and further recites that the at least one port inlet opens into the annular region and extends through a portion of the at least one longitudinally oriented wall. The reference fails to describe either the claimed configuration of an unobstructed annular region or the positioning of the at least one port inlet. Accordingly, the reference is not anticipated.

Claims 19 and 20 have been canceled, rendering the rejection thereof moot.

Claim 22 has been amended to structurally define the boundaries and location of the annular region in a manner similar to the amendments to claims 8 and 10 but slightly broader language, and that the annular region is unobstructed, the reference failing to describe an unobstructed annular region of the claimed configuration. Thus, the claim is not anticipated.

Anticipation Rejection Based on U.S. Patent No. 2,064,255 to Garfield

Claims 1 through 4 and 19 through 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Garfield (U.S. Patent No. 2,064,255). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claims 1 and 2 have been amended to recite that the claimed core bit includes a bit body having a face surface with a throat opening thereinto, the throat extending to a longitudinal cavity defined by at least one longitudinally oriented wall . . . wherein the at least one port inlet is formed within the bit body; and wherein the at least one port inlet . . . opens into the longitudinal

cavity through at least a portion of the at least one longitudinally oriented wall. The reference describes and depicts a port inlet which opens into a longitudinal cavity through an inclined wall thereof. Thus, the claim is not anticipated.

Claims 3 and 4 are allowable as depending from claim 2.

Claims 19-21 have been canceled, rendering the rejection thereof moot.

Claim 22 has been amended to structurally define the boundaries and location of the annular region in a manner similar to the amendments to claims 8 and 10 but slightly broader language, and that the annular region is unobstructed, the reference failing to describe an annular region of the claimed configuration. Thus, the claim is not anticipated.

Anticipation Rejection Based on U.S. Patent No. 2,769,615 to Burgess

Claims 1 through 3, 5, 6, 8, 10, 17, 19, 20, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Burgess (U.S. Patent No. 2,769,615). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claims 1 and 2 have been amended to recite that the claimed core bit includes a bit body having a face surface with a throat opening thereinto, the throat extending to a longitudinal cavity defined by at least one longitudinally oriented wall . . . wherein the at least one port inlet is formed within the bit body; and wherein the at least one port inlet . . . opens into the longitudinal cavity through at least a portion of the at least one longitudinally oriented wall. The reference describes and depicts a port inlet which opens into a longitudinally extending slot defined between “wings” in the body of the drill bit. Thus, the claim is not anticipated.

Claim 3 is allowable as depending from claim 2.

Claim 5 has been amended in the manner of claims 1 and 2, and is, thus, not anticipated by the reference.

Claim 6 is allowable as depending from claim 5.

Claims 8 and 10 have been amended to structurally define the boundaries and location of the annular region as having a longitudinally extending radially outer wall, a radially extending upper wall and a radially extending lower wall formed in the bit body and a radially inner periphery defined by an outside diameter of at least the core shoe, and that the annular region is unobstructed. The reference fails to describe an annular region of the claimed configuration and

as defined by the recited structural features. Further, Applicants respectfully traverse the Examiner's assertion that the angle of approach into the port inlet of bore 23 approximates 30 degrees to the flow path therein of any unobstructed annular region of the structure described by the reference. Actually, the port inlet of bore 23 of Burgess is disposed at 0 degrees to the flow path, or parallel thereto. Thus, the claims are not anticipated.

Claim 17 has been amended in a manner similar to claims 8 and 10, and further recites that the at least one port inlet opens into the annular region and extends through a portion of the at least one longitudinally oriented wall. The reference fails to describe either the claimed configuration of an annular region or the positioning of the at least one port inlet. Accordingly, the reference is not anticipated.

Claims 19 and 20 have been canceled, rendering the rejection thereof moot.

Claim 22 has been amended to structurally define the boundaries and location of the annular region in a manner similar to the amendments to claims 8 and 10 but slightly broader language, and that the annular region is unobstructed, the reference failing to describe an annular region of the claimed configuration. Further, Applicants respectfully traverse the Examiner's assertion that the angle of approach into the port inlet of bore 23 approximates 30 degrees to the flow path therein of any unobstructed annular region of the structure described by the reference. Actually, the port inlet of bore 23 of Burgess is disposed at 0 degrees to the flow path, or parallel thereto. Thus, the claim is not anticipated.

Anticipation Rejection Based on U.S. Patent Nos. 2,046,798 or 2,113,968 to Thrift

Claim 22 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Thrift (U.S. Patent No. 2,046,798) or Thrift (U.S. Patent No. 2,113,968). Applicants respectfully traverse this rejection, as hereinafter set forth.

Claim 22 has been amended to structurally define the boundaries and location of the annular region, the references each failing to describe an annular region of the claimed configuration. Thus, the claim is not anticipated.

**Objection to Claim 18/Allowable Subject Matter**

Claim 18 stands objected to as being dependent upon a rejected base claim, but is indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. Applicants acknowledge the indication of allowable subject matter with appreciation, but respectfully submit that claim 18 is allowable in its present form as depending from 17.

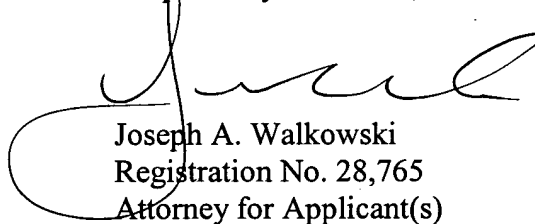
**ENTRY OF AMENDMENTS**

The amendments to claims 1, 2, 5, 8, 10, 12, 17 and 22 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application.

**CONCLUSION**

Claims 1-8, 12-18, 22, 24, 28 and 29 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,



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Date: July 21, 2005  
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Document in ProLaw